

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDRE M. FERGUSON,

No. CV-08-1394 MMC (PR)

Petitioner,

JUDGMENT IN A CIVIL CASE

v.

DISTRICT ATTORNEY,

Respondent.

() Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

(X) Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS SO ORDERED AND ADJUDGED As a decision on the instant federal petition would interfere with the criminal proceedings pending against petitioner in state court, the petition is hereby DISMISSED. The dismissal is without prejudice to petitioner's filing a new federal habeas petition once his state criminal proceedings are completed and he has exhausted state court remedies concerning all claims he wishes to raise in federal court.

Dated: April 30, 2008

Richard W. Wieking, Clerk

Tracy Lucero

By: Tracy Lucero
Deputy Clerk